HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 17287 OF 2005.

ORAL ORDER:

1 . The petitioner is an authorisee of a fair-price shop of Gajukuntapalli village, O.D. Cheruvu Mandal, Ananthapur District. By a proceeding dated 17.07.2005 the Revenue Divisional Officer, Penukonda, sensitized the petitioner as to commission by him of certain enumerated and specified irregularities in the conduct of the fair-price shop and also suspended his authorization and dealership pending enquiry by recording a reason that there was a prima facie case against the petitioner warranting initiation of disciplinary action. The power was exercised under Clause 9 of the Andhra Pradesh State Public Distribution System Control Order, 2001. That the Revenue Divisional Officer has a jurisdiction and competence to suspend the authorization is not in disputation. As against the suspension, the petitioner preferred an appeal to the first respondent. The first respondent rejected the stay application with a laconic order while taking up the appeal on board for an eventual

hearing. The petitioner's grievance is that the suspension by the Revenue Divisional Officer itself was unwarranted as there was no material to

substantiate the charges laid against him.

2. The above are not aspects that this Court could go into at this stage of the matter as the substantive appeal is pending before the first respondent. Though the stay petition has been dismissed, this Court considers it appropriate to dispose of the writ petition directing the first respondent to dispose of appeal preferred by the petitioner against the order of the Revenue Divisional Officer dated 17.07.2005 expeditiously, in any event within two weeks from the date of receipt of a copy of this order. The first respondent shall positively record reasons for the conclusions arrived at on the appeal preferred by the petitioner and shall communicate the decision to the petitioner within the time directed above.

3. Writ petition is disposed of as above at the

stage of admission after hearing the learned Government Pleader for Civil Supplies.

_____

GODA RAGHURAM. J.,

Dated: 05.07.2005.

VRK.

Note:

Furnish cc in two days.

(BO)

HON'BLE SRI JUSTICE

GODA RAGHURAM

-

-

-

W.P.NO. 17287 OF 2005.

Dt: 05.08.2005.